

# Exhibit 5 – Plea Agreement

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Jacqueline Bryant  
Clerk of the Court  
Transaction # 7872625

1 CODE 1785  
2 Christopher J. Hicks  
3 #7747  
4 One South Sierra Street  
5 Reno, NV. 89501  
6 (775)328-3200  
7 Attorney for Plaintiff

8 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,  
9 IN AND FOR THE COUNTY OF WASHOE

10 \* \* \*

11 THE STATE OF NEVADA,

12 Plaintiff,

Case No. CR20-0119A

13 v.

Dept. No. D06

14 ESTEBAN ADAME-LOPEZ,

15 Defendant.

16 GUILTY PLEA MEMORANDUM

17 1. I, ESTEBAN ADAME-LOPEZ, understand that I am charged  
18 with the offense of: ATTEMPTED BATTERY WITH USE OF DEADLY WEAPON,  
19 RESULTING IN SUBSTANTIAL BODILY HARM, a violation of NRS 200.481 and  
20 NRS 193.330, a category B felony.

21 2. I desire to enter a plea of guilty to the offense of  
22 ATTEMPTED BATTERY WITH USE OF DEADLY WEAPON, RESULTING IN SUBSTANTIAL  
23 BODILY HARM, a violation of NRS 200.481 and NRS 193.330, a category B  
24 felony, as more fully alleged in the charge filed against me.

25 3. By entering my plea of guilty I know and understand  
26 that I am waiving the following constitutional rights:

///

1           A. I waive my privilege against self-incrimination.

2           B. I waive my right to trial by jury, at which trial the  
3 State would have to prove my guilt of all elements of the offense  
4 beyond a reasonable doubt.

5           C. I waive my right to confront my accusers, that is, the  
6 right to confront and cross examine all witnesses who would testify  
7 at trial.

8           D. I waive my right to subpoena witnesses for trial on my  
9 behalf.

10           4. I understand the charge against me and that the  
11 elements of the offense which the State would have to prove beyond a  
12 reasonable doubt at trial are that on January 1, 2020, or thereabout,  
13 in the County of Washoe, State of Nevada, I did willfully and  
14 unlawfully attempt to use force or violence upon the person of WALTER  
15 CRISTOBAL-MEJIA and/or OLVIN MEJIA at Grove Street and Wrondel Way,  
16 Reno, Washoe County, Nevada, with a deadly weapon, to wit, a 9mm  
17 Pistol, by shooting WALTER CRISTOBAL-MEJIA and/or OLVIN MEJIA, said  
18 shooting resulting in substantial bodily harm to WALTER CRISTOBAL-  
19 MEJIA and/or OLVIN MEJIA, the Defendants being responsible under one  
20 or more of the following principles of criminal liability; to-wit:  
21 (1) by the Defendants directly committing the said act; and/or (2) by  
22 the Defendant's conspiring with each other to commit the offense of  
23 Attempted Battery With Use of a Deadly Weapon, Resulting in  
24 Substantial Bodily Harm whereby all Defendants are each vicariously  
25 liable for the foreseeable acts of the other conspirators when the  
26 acts were in furtherance of the conspiracy; and/or (3) the Defendants

1 aiding or abetting in the commission of the crime by accompanying  
2 each other to the crime scene where ESTEBAN ADAME-LOPEZ and LUIS  
3 MARTO ACOSTA did willingly get into a vehicle driven by OSWALD JOEL  
4 LIANG wherein they did drive to the area of Grove Street and Wronde  
5 Way and did confront said victims and ESTEBAN ADAME-LOPEZ and/or LUIS  
6 MARTO ACOSTA did shoot said victims and/or encourage each other to  
7 shoot said victims while OSWALD JOEL LIANG acted as the getaway  
8 driver; the Defendants encouraging one another throughout by actions  
9 and words; the Defendants acting in concert throughout.

10           5. I understand that I admit the facts which support all  
11 the elements of the offense by pleading guilty. I admit that the  
12 State possesses sufficient evidence which would result in my  
13 conviction. I have considered and discussed all possible defenses  
14 and defense strategies with my counsel. I understand that I have the  
15 right to appeal from adverse rulings on pretrial motions only if the  
16 State and the Court consent to my right to appeal in a separate  
17 written agreement. I understand that any substantive or procedural  
18 pretrial issue(s) which could have been raised at trial are waived by  
19 my plea.

20           6. I understand that the consequences of my plea of guilty  
21 are that I may be imprisoned for a period of 1-10 years in the Nevada  
22 State Department of Corrections.

23           7. In exchange for my plea of guilty, the State, my  
24 counsel and I have agreed to recommend the following: I will be free  
25 to argue for an appropriate sentence. The State agrees to recommend  
26 no more than 24-60 months in the Nevada Department of Corrections.

1 Additionally, I agree to plead guilty in Reno Justice Court Case No.  
2 RCR2020-105934 to the crime of Domestic Battery, First Offense, where  
3 the parties will recommend a sentence of 180 days in the Washoe  
4 County Jail, as well as all standard sentencing conditions. The  
5 State agrees to run this case concurrent to RCR2020-105934. The  
6 State will not file additional criminal charges or enhancements  
7 resulting from the arrest in this case. This is a global resolution  
8 between all parties, and all defendants must enter into it.

9 8. I understand that, even though the State and I have  
10 reached this plea agreement, the State is reserving the right to  
11 present arguments, facts, and/or witnesses at sentencing in support  
12 of the plea agreement.

13 9. I also agree that I will make full restitution in this  
14 matter, as determined by the Court. Where applicable, I additionally  
15 understand and agree that I will be responsible for the repayment of  
16 any costs incurred by the State or County in securing my return to  
17 this jurisdiction.

18 10. I understand that the State, at their discretion, is  
19 entitled to either withdraw from this agreement and proceed with the  
20 prosecution of the original charges or be free to argue for an  
21 appropriate sentence at the time of sentencing if I fail to appear at  
22 any scheduled proceeding in this matter OR if prior to the date of my  
23 sentencing I am arrested in any jurisdiction for a violation of law  
24 OR if I have misrepresented my prior criminal history. I understand  
25 and agree that the occurrence of any of these acts constitutes a  
26 material breach of my plea agreement with the State. I further

1 understand and agree that by the execution of this agreement, I am  
2 waiving any right I may have to remand this matter to Justice Court  
3 should I later withdraw my plea.

4 11. I understand and agree that pursuant to the terms of  
5 the plea agreement stated herein, any counts which are to be  
6 dismissed and any other cases charged or uncharged which are either  
7 to be dismissed or not pursued by the State, may be considered by the  
8 court at the time of my sentencing.

9 12. I understand that the Court is not bound by the  
10 agreement of the parties and that the matter of sentencing is to be  
11 determined solely by the Court. I have discussed the charge, the  
12 facts and the possible defenses with my attorney. All of the  
13 foregoing rights, waiver of rights, elements, possible penalties, and  
14 consequences, have been carefully explained to me by my attorney. My  
15 attorney has not promised me anything not mentioned in this plea  
16 memorandum, and, in particular, my attorney has not promised that I  
17 will get any specific sentence. I am satisfied with my counsel's  
18 advice and representation leading to this resolution of my case. I  
19 am aware that if I am not satisfied with my counsel I should advise  
20 the Court at this time. I believe that entering my plea is in my  
21 best interest and that going to trial is not in my best interest. My  
22 attorney has advised me that if I wish to appeal, any appeal, if  
23 applicable to my case, must be filed within thirty days of my  
24 sentence and/or judgment.

25 13. I understand that this plea and resulting conviction  
26 will likely have adverse effects upon my residency in this country if

1 I am not a U. S. Citizen. I have discussed the effects my plea will  
2 have upon my residency with my counsel.

3 14. I offer my plea freely, voluntarily, knowingly and  
4 with full understanding of all matters set forth in the Information  
5 and in this Plea Memorandum. I have read this plea memorandum  
6 completely and I understand everything contained within it.

7 15. My plea of guilty is voluntary and is not the result  
8 of any threats, coercion or promises of leniency.

9 16. I am signing this Plea Memorandum voluntarily with  
10 advice of counsel, under no duress, coercion, or promises of  
11 leniency.

12 17. I do hereby swear under penalty of perjury that all of  
13 the assertions in this written plea agreement document are true.

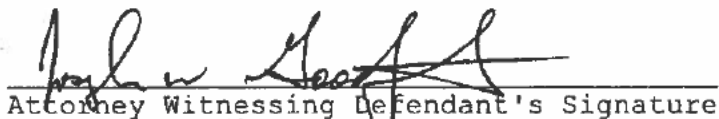
14 AFFIRMATION PURSUANT TO NRS 239B.030

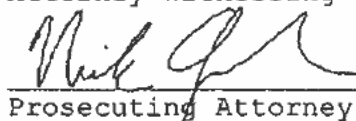
15 The undersigned does hereby affirm that the preceding  
16 document does not contain the social security number of any person.

17 DATED this 11 day of May, 2020.

18  
19   
20 DEFENDANT

21  
22 TRANSLATOR/INTERPRETER

23   
24 Attorney Witnessing Defendant's Signature

25   
26 Prosecuting Attorney